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*Attorneys for Plaintiff*

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION**

ALEX PYGIN, an individual and California  
resident, on behalf of himself and all others  
similarly situated,

Plaintiff,

vs.

BOMBAS, LLC, SHOPIFY (USA) INC. and  
SHOPIFY, INC.

Defendants.

Case No.: 4:20-cv-04412-JSW

**PLAINTIFF'S NOTICE OF  
UNOPPOSED MOTION FOR  
PRELIMINARY APPROVAL OF CLASS  
ACTION SETTLEMENT**

**DATE: JUNE 25, 2021  
TIME: 9:00 AM  
COURTROOM: 5, 2ND FLOOR  
JUDGE: HON. JEFFREY S. WHITE**

**TO THE COURT, ALL PARTIES, AND THEIR COUNSEL OF RECORD:**

**PLEASE TAKE NOTICE THAT** on June 25, 2021, at 9:00 a.m., or as soon thereafter as counsel may be heard, before the Honorable Jeffrey S. White, Courtroom 5, 2nd Floor, United States District Court for the Northern District of California, Oakland Division, 1301 Clay Street, Oakland, California 94612, Plaintiff will and hereby moves this Court, pursuant to Federal Rule of Civil Procedure 23, to grant Plaintiff's Unopposed Motion for Preliminary Approval of Class Action Settlement (the "Motion"). Defendants do not oppose the Motion.

Plaintiff bases his Motion on: this Notice; the accompanying Memorandum of Points and Authorities filed in support thereof; the Settlement Agreement and Release ("Settlement Agreement") and all exhibits attached thereto; the Proposed Order granting the Motion; the Joint Declaration of John A. Yanchunis and M. Anderson Berry (the "Joint Declaration"); all other records and papers on file in this action; any oral argument on the Motion; and all other matters properly before the Court.

**STATEMENT OF RELIEF SOUGHT**

Plaintiff seeks an order certifying the Settlement Class, more fully described in the Settlement Agreement, attached to the Joint Declaration as Exhibit 1, for purposes of the Settlement pursuant to Federal Rule of Civil Procedure 23(b)(3); preliminarily approving the Settlement as fair, reasonable, and adequate; directing notice to be disseminated to the Settlement Class in the form and manner proposed by the parties as set forth in the Settlement Agreement; appointing Angeion Group LLC to serve as the Claims Administrator; appointing the undersigned attorneys as Class Counsel and Plaintiff as Class Representative; and setting a hearing date and schedule for consideration of proposed Class Counsel's forthcoming motions for final approval of the Settlement and for an award of attorneys' fees, reimbursement of expenses, and Class Representative service awards.

1 Date: May 20, 2021

Respectfully Submitted,

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3 By: /s/ M. Anderson Berry

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